

REMARKS

This application has been reviewed in light of the Office Action dated February 21, 2006. Claims 1, 3, 5, 11, 12, 16-18, and 26-49 are now pending in this application. Claims 2, 4, 6-10, 13-15, and 19-25 have been canceled, without prejudice or disclaimer of subject matter. Claims 1, 3, 5, 11, 12, and 16-18 have been amended to define more clearly what Applicant regards as the invention. Claims 26-49 have been added to provide Applicant with a more complete scope of protection. Claims 1, 26, 34, and 42 are in independent form. Favorable reconsideration is requested.

Applicant notes with appreciation the indication that Claims 6, 12, and 25 would be allowable if rewritten so as not to depend from a rejected claim, and with no change in scope.

Claim 15 was rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Cancellation of Claim 15 renders the rejection of that claim moot; Applicant does not concede the propriety of the rejection.

Claims 1-5, 7-11, 13-16, and 19-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by WO 92/22983 (*Brown et al.*). Claim 17 was rejected under 35 U.S.C. § 103(a) as being obvious from *Browne et al.* in view of U.S. Patent No. 6,798,839 (*Iwata et al.*); and Claim 18, as being obvious from *Browne et al.* in view of U.S. Patent No. 6,795,092 (*Nagai et al.*).

First, Applicant notes that the earliest effective filing date to which *Iwata et al.* is entitled is December 11, 2001, which is later than the U.S. filing date (September 19,

2001) of the present application. Therefore, *Iwata et al.* does not qualify as prior art under any provision of 35 U.S.C. against the present application.

Second, cancellation of Claims 2, 4, 7-10, 13-15, and 19-24 renders the rejections of those claims moot.

Claim 1 is directed to a reproducing apparatus including a reproduction unit and a control unit. The reproduction unit is adapted to reproduce one or more moving image data from a recording medium. The control unit is adapted to control the reproduction unit using program information indicating a reproducing procedure of the one or more moving image data. The control unit is adapted to delete one or more parts of the one or more moving image data using the program information, and change the program information according to one or more non-deleted parts of the one or more moving image data after the one or more parts of the one or more moving image data are deleted.

Applicant notes that Claim 1 has been amended to more clearly recite the feature of the control unit by taking into consideration the allowable subject matter recited in Claim 6. That is, among the notable features of Claim 1 are that a reproducing apparatus, which reproduces one or more moving image data from a recording medium, includes a control unit which is arranged so as to (1) delete one or more parts of the one or more moving image data using program information, and (2) change the program information according to one or more non-deleted parts of the one or more moving image data after the one or more parts of the one or more moving image data are deleted.

Brown et al., as understood by Applicants, relates to a large capacity,

random access, multi-source recorder player. An audio/video recorder system receives a plurality of transmission signals, each containing program information, and simultaneously stores the received transmission signals. The system can be controlled by user input to allow for automatic recording of selected programs simultaneously input from multiple sources, reconfiguration of stored programs, and routing of stored programs to selected outputs.

Nothing in *Brown et al.* would teach or suggest reproducing one or more moving image data from a recording medium, and controlling the reproduction so as to (1) delete one or more parts of the one or more moving image data using program information, and (2) change the program information according to one or more non-deleted parts of the one or more moving image data after the one or more parts of the one or more moving image data are deleted, as recited in Claim 1.

Accordingly, Claim 1 is believed to be patentable over *Brown et al.*

Independent Claims 26, 34, and 42 each recite features which are similar in many relevant respects to those discussed above with respect to Claim 1 and therefore are also believed to be patentable over *Brown et al.* for at least the reasons discussed above.

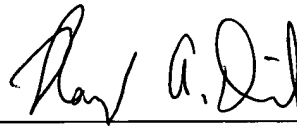
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Ray A. DiPerna", is written over a horizontal line.

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